

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	
vs.)	Case No. 08-00026-03-W-FJG
Troy R. Solomon,)	-04-
Christopher J. Elder and)	-05-
Delmon L. Johnson,)	
Defendants.)	

ORDER

Pending before the Court are:

1. Defendant Elder's motion to suppress all evidence seized from the South Texas Wellness Center (Doc. #96), filed August 22, 2008;
2. Defendants Solomon and Johnson's Combined Motion to Suppress All Evidence Obtained in Search of South Texas Wellness Center (Doc. #115), filed September 24, 2008; and
3. The Government's Consolidated Response (Doc. #129) to Defense Motions to Suppress Evidence.

Supplemental briefs (Docs #132, 138, 140 and 141) have been filed.

On December 4, 2008, United States Magistrate Judge Sarah W. Hays entered a report and recommendation (Doc. #144) which recommended denying the above-mentioned motions. Defendant Elder filed objections to Magistrate Judge Hays' report and recommendations on December 6, 2008 (Doc. #148) and defendant Solomon filed objections on December 14, 2008 (Doc. #158).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant Elder's motion to suppress (Doc. #96), filed August 22, 2008, and defendants Solomon and Johnson's motion to suppress (Doc. #115) must be denied.

Accordingly, it is

ORDERED that the magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant Elder's motion to suppress (Doc. #96), filed August 22, 2008, is denied.

It is further ORDERED that defendants Solomon and Johnson's motion to suppress (Doc. #115), filed September 24, 2008, is denied.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 1/27/09
Kansas City, Missouri